

from the desk of

Howard K. Shapiro, Ph.D.
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JC10 Rec'd PCT/PTO 2.0 FEB 2002

#8894

Inventor: Howard K. Shapiro
International Application No.: PCT/US96/13850
International Filing Date: 29 August 1996
U.S. Serial No.: 09/194,619
Title: Methods and Compositions for Development of Drug Screening Procedures and Diagnostic Tools

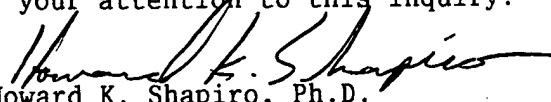
Docket No. P-1018
Group Art Unit: N/A
Examiner: N/A

Attention: Cynthia M. Kratz
PCT Legal Office
Assistant Commissioner for Patents
Box PCT
Washington, D.C. 20231

Dear Ms. Kratz:

This letter constitutes a status inquiry regarding the patent application referenced above. Attached hereto is a photocopy of a USPTO letter dated January 12, 2000 and co-signed by you and Richard R. Cole. Your letter of January 12, 2000 confirmed that my Petition for Revival Under 37 CFR 1.137(b) had been accepted. Paragraph two on page two of your letter included a statement that "this application is being forwarded to the National Stage Processing Division of the Office of PCT Operations for continued processing..." Yet, in reviewing the status of my ongoing US patent applications recently, I noticed that my file on this case includes no action from the USPTO beyond your letter of January 12, 2000. In light of the time that has elapsed since your last communication, I am concerned that the USPTO application file for this case may have been misplaced. In thinking about this question, I am concerned in particular that I never received a USPTO communication informing me of the Group Art Unit and Examiner to whom the application had been referred.

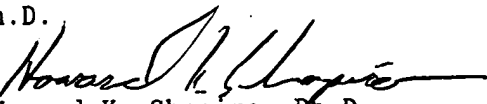
I have some appreciation of the application case load that each Examiner must deal with, so I understand that it is completely inappropriate for applicants to question the pace of case review. But I also understand that the paper trail at the USPTO is extremely complex, and it is possible that a case file may become misplaced. I am forwarding the present letter to your attention in the hope that you can provide some assistance in determining the status and whereabouts of this application. I would be most grateful for whatever information you may wish to offer. My thanks for your attention to this inquiry.


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22 January 2002
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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as certified mail number 7001-1140-0002-4722-5022 in an envelope addressed to: Cynthia M. Kratz, PCT Legal Office, Assistant Commissioner of Patents, Box PCT, Washington, D.C. 20231 on 22 January 2002 by Howard K. Shapiro, Ph.D.

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Howard K. Shapiro, Ph.D.



UNITED STATES DEPARTMENT OF COMMERCE
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JAN 12 2000

HOWARD K. SHAPIRO, PhD.
214 PRICE AVENUE, APT. F32
NARBERTH, PA 19072

In re Application of
SHAPIRO
Serial No.: 09/194,619
PCT No.: PCT/US96/13850
Int. Filing Date: 29 August 1996
Priority Date: 01 September 1995
Attorney Docket No.: P-1018
For: METHOD AND COMPOSITIONS FOR
DEVELOPMENT OF DRUG SCREENING
PROCEDURES AND DIAGNOSTIC TOOLS

DECISION ON RENEWED
PETITION FOR REVIVAL
UNDER 37 CFR 1.137(b)

This is in response to applicant's "Renewed Petition to Revive Under 37 CFR 1.137(b)" filed 12 August 1999 in the above-captioned application.

On 10 March 1999, applicant's Petition for Revival under 37 CFR 1.137(b) was dismissed without prejudice indicating that applicant failed to provide the required reply, that is, *inter alia*, an expressed intention to enter the national stage under 35 U.S.C. 371, the appropriate petition fee and an adequate explanation of the entire delay in filing the required reply from the due date of the reply until the filing of a grantable petition.

On 12 May 1999, applicant requested a one month extension of time and submitted the appropriate fee of \$55. On 12 June 1999, applicant requested an additional two month extension of time and submitted \$110, which was an incorrect amount for extension of time fees.

On 29 September 1999, the undersigned faxed a communication to applicant indicating that he had submitted an incorrect fee for a three month extension of time and that the correct fee for a five month extension of time, which was required to review his petition to revive, was \$925. The balance of \$760 in fees was required and must be received by 10 October 1999.

On 04 October 1999, applicant submitted an additional balance of \$760 due for the five month extension of time.

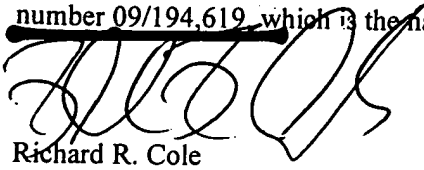
The renewed petition to revive under 37 CFR 1.137(b) filed 10 August 1999 in the above-captioned application is hereby **GRANTED** as follows:

Applicant's statement that "the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional" along with applicant's detailed explanation of the delay meets the requirements of 37 CFR 1.137(b)(3).


A review of the application file reveals that the required petition fee has been paid and the requirements of 37 CFR 1.137(b) have been satisfied. Therefore, the request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the National stage in the United States of America.

This application is being forwarded to the National Stage Processing Division of the Office of PCT Operations for continued processing including the issuance of a Notification of Missing Requirements indicating that the \$65.00 surcharge for filing the oath or declaration after the 20 month period is required.

Applicant is advised that all future correspondence and payment of fees should reference U.S. serial number 09/194,619, which is the national stage application of international application PCT/US96/13850.



Richard R. Cole
Legal Examiner
PCT Legal Office



Cynthia M. Kratz
Petitions Attorney
PCT Legal Office

CMK/RRC:cmk

Telephone: 703-306-5467

Howard K. Shapiro, Ph.D.
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FEB 22 2002

PCT INITIAL PROCESSING

JC10 Rec'd PCT/PTO 20 FEB 2002

PCT/US96/13850

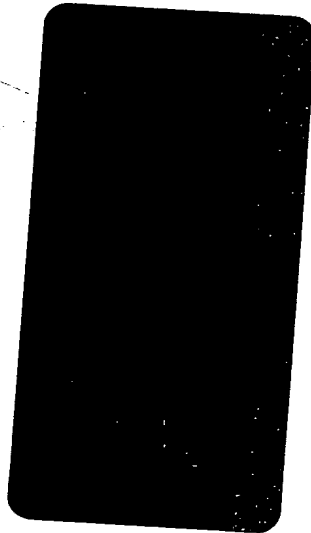


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CERTIFIED MAIL

Cynthia M. Kratz
PCT Legal Office
Assistant Commissioner for Patents
Box PCT
Washington, D.C. 20231

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